Except as provided herein, all terms and conditions of the document referenced in 1tem 9A of 1DA, 15 heretains changed, remains thereinged and in full force and effect.

15A, NAME AND TITLE OF SIGNER (Type or print)

Melinda L. Cecil

Contracting Officer

15B, CONTRACTOR/OFFEROR

15C, DATE SIGNED 16B, UNITED STATES OF AMERICA

(Signature of person authorized to sign)

(Signature of Contracting Officer)

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8. THE ABOVE NUMBERED CONTRACT Appropriation date, etc.) SET FORTH IN C. THIS SUPPLEMENTAL AGREEMENT	I ITEM 14, PURSUANT TO	ANT TO AUTHORITY OF	(R 43.103(p).	<u> </u>	<u> </u>
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Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

ISA. NAME AND TITLE OF SIGNER (Type or print)

164. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)

Melinda L. Cecil Contracting Officer

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Contract 68-S7-7001 Delivery Order 0013 Modification 0001 Page 2 of 3

- A. The purpose of this modification is to further delineate the removal actions to be taken under this delivery order and to provide additional funding.
- B. Additional funding in the amount of \$1,709,880.00 is provided. The delivery order amount is increased by \$1,709,880.00 from \$10,000.00 to 1,719,880.00.
- C. The statement of work is revised to further delineate the removal actions necessary as a result of the site visit:

REMOVAL ACTIONS:

The contractor shall provide all necessary personnel, equipment, materials and services to perform the following tasks associated with the site:

- 1. Provide office facilities and utility hookups.
- 2. Provide air monitoring and site security, as necessary.
- 3. Remove all trees and vegetative cover from work areas around tanks and pipes. Once removed, cut and chip for disposal.
- 4. Access refinery vessels and piping and remove oil and sludges from the refinery.
- 5. Transport and dispose of oil from the refinery off-site.
- 6. Remove all unservicable tanks to access contaminated soils beneath tanks.
- 7. Containerize and treat oily water utilizing EPA Region V's Springfield Belle, if available and authorized.
- 8. Remove all petroleum-contaminated soils, including those beneath refinery structures, in the bermed areas surrounding the tanks and in other petroleum contaminated spill areas.
- 9. Remove and dispose of sludge pit wastes.

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Contract 68-S7-7001 Delivery Order 0013 Modification 0001 Page 3 of 3

- 11. Treat (or transport and dispose off-site) the petroleum-contaminated soil.
- 12. Backfill, final grade and revegetate disturbed areas to premoval condition as approved by the OSC.

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UNITED STATES ENVIRONMENTAL PROTECTION SENCY WASHINGTON, DC 20480

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DELIVERY ORDER FOR EMERGENCY RESPONSE CLEANUP SERVICES

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SMITH TECHNOLOGY CORPORATION 18207 Edison Avenue Chesterfield, MO 63005	ON	U.S. Environm 726 Minnesota Kansas City, I	· · · · · · · · · · · · · · · · · · ·	n Agency		
				en e		
7b. PROGRAM MANAGER (Name and Phone	Number)	86. EPA REGION/USCO	DISTRICT	8c. ZONE		
Mark Simpson (314) 532-7660		FPA Region VII	Γ			
7c. RESPONSE MANAGER (Name and Phone	Mumber)	8d. ON-SCENE COORDI		ne Numberi		
Ron Lyberger (314) 532-	7660	Janice Kroone	(913) 551-7005			
9. RESPONSE LOCATION (Site Name and/or A	Address and ZIP Code)	10. CONTRACTOR REQU (Specify Time Zone		d Time)		
Mid-America Refinery		January 28, 1998 □ PM				
Chanute, KS		11. REQUIRED WORK COMPLETION DATE				
(OPA site)		March 31, 199	8			
12. STATEMENT OF WORK The Contractor shall furnish the necessary for or incident to the The accounting and appropression with the wind t	performance of the work	est forth below: SEE AT r this delivery	TACHED STATEMEN	NT OF WORK		
The FPN is 088040.	= -	TRANSMIT TEPA 4-536-1655	Phone 913-55	CCCIL 1-7564 ADMINISTRATION		

13. ORDERING OFFICER		1
NAME /TTD F	SIGNATURE	DATE //2 0/00
MAME/TITLE Melinda L. Cecil	Melinda L. Cecil	1/28/98
Contracting Officer	Melina L. all	

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Contract Number 68-S7-7001 Delivery Order Number 0013 Page 1 of 3

STATEMENT OF WORK MID-AMERICA REFINERY COMPANY (MARCO) Chamite, Kansas

PURPOSE:

This action is authorized under Section 311c of the Federal Water Pollution Control Act ("Clean Water Act") as amended by the Oil Pollution Act of 1990 which allows for the removal or arrangements for the removal of oil-contaminated materials and debris to mitigate or prevent a substantial threat of a discharge of oil.

The deteriorated condition of the tanks and the eroded underground and aboveground piping which still contain petroleum materials, as well as the oil-contaminated soils pose:

- I. A substantial threat of a discharge of oil into or on navigable waters and/or the adjoining shorelines of navigable waters; and/or
- II. A substantial threat of a discharge of oil of such a size or character as to be a substantial threat to the public health or welfare of the United States.

BACKGROUND:

The Mid-America Refinery Company in Chanute, Kansas, is a 25-acre abandoned oil refinery. This facility operated as a crude oil processor from 1934 until it was shut down due to bankruptcy in February 1981. An initial site investigation indicated that at least 40% of the 138 tanks that were on-site had inadequate diking. Surface soil samples found total petroleum hydrocarbon contamination up to 165,400 milligrams per kilogram (mg/kg). Excessive runoff and pools of oily water were noted throughout the site during heavy precipitation.

A 1994 CERCLA cleanup addressed hazardous waste and asbestos that was located on-site. Fifty-nine tanks, containing approximately 111,300 gallons of petroleum related waste remained on-site after this clean-up action due to the CERCLA petroleum exclusion provision.

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Contract Number 68-S7-7001 Delivery Order Number 0013 Page 2 of 3

After the CERCLA clean-up was completed, the property trustee obtained the services of numerous scrap metal salvagers. Due to these scrapping efforts, tops and sides of tanks have been cut off which has allowed rainwater to collect in the tanks and the petroleum materials to directly discharge onto the ground. Because the site sits on a steep hill, run-off from rain events allow these petroleum materials to discharge into a drainage ditch, that runs through a wetlands and discharges into Village Creek which discharges into the Neosho River, the source for drinking water for the city of Chanute. Presently, there are 27 tanks remaining on-site containing approximately 80,000 gallons of petroleum related materials.

TANK CONDITIONS:

During the 16 years that the refinery has been closed, the tanks have continued to rust and degrade. No maintenance, corrosion control, leak testing, etc., has been done to maintain the integrity of these tanks. Numerous tanks have no berms around them to serve as secondary containment in the event of any spills or tank failures. There is evidence in the oily water around some of the tanks that do have berms, that the tank contents have leaked out. This has caused extensive soil contamination around and under the tanks. Salvagers have further destroyed numerous tanks by cutting off tank tops and leaving product in the bottoms of the tanks, causing the contents to overflow onto the ground. None of the tanks on-site are serviceable due to their deteriorated condition.

Rusting underground and above ground piping is located throughout the site. The majority of these pipes still contain petroleum products. When salvagers worked on the site, improper techniques of cutting pipes which contained flammable petroleum products had resulted in numerous fires and petroleum discharges. Some of these fires crossed the road and burned out wetland vegetation and fields. On several occasions, salvagers set tank contents on fire to remove the petroleum material in the tanks. Since the refinery is located adjacent to a housing area, the thick black smoke posed a substantial threat to public health and welfare of residents. There is evidence that petroleum contamination has reached ground water.

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Contract 68-S7-7001 Delivery Order Number 0013 Page 3 of 3

GENERAL REQUIREMENTS:

The contractor shall:

- A. Acknowledge receipt of this delivery order in accordance with contract clause G.1, Ordering-By Designated Ordering Officers, within five days from delivery order issuance.
- B. Conduct a site visit with the on-scene coordinator on Wednesday, January 28, 1998 in order to prepare the action plan.
- C. Provide an action plan for the site in accordance with contract clause G.1, Ordering by Designating Ordering Officers, to the contracting officer and on-scene coordinator prior to commencement of site work. The action plan shall include labor, equipment, subcontracts and other direct costs necessary for completion of this removal action. The action plan shall address the removal and proper treatment and/or disposal of petroleum tank contents and sludge pit wastes, removal and disposal of above ground and below ground piping and contents, cutting up and scrapping of tanks to allow for the removal of petroleum-contaminated soils located beneath the tanks in the bermed areas surrounding the tanks and in other petroleum contaminated spill areas, the containerization and treatment of petroleum contaminated water and the final grading and revegetation of disturbed areas.
- D. Prepare a written site Health and Safety Plan in accordance with 29 C.F.R. Part 1910 prior to commencement of work on-site. This plan should also include an emergency response plan that details procedures to be followed should an accident and/or release of hazardous substances occur at the site.
- E. Apply the applicable wage rates as appropriate in accordance with the Service Contract Act.

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MID-AMERICA REFINERY COMPANY (MARCO) STATEMENT OF WORK

PURPOSE:

This action is authorized under Section 3110 of the Federal Water Pollution Control Act ("Clean Water Act") as amended by the Oil Pollution Act of 1990 which allows for the removal or arrangements for the removal of oil-contaminated materials and debris to mitigate or prevent a substantial threat of a discharge of oil.

The deteriorated condition of the tanks and the eroded underground and aboveground piping which still contain petroleum materials, as well as the oil contaminated soils pose:

- I. A substantial threat of a discharge of oil into or on navigable waters and/or the adjoining shorelises of navigable waters; and/or
- ii. A substantial threat of a discharge of oil of such a size or character as to be a substantial threat to the public health or welfare of the United States.

BACKGROUND:

The Mid-America Refinery Company in Channete, Kansas, is a 25-acre abandoned oil refinery. This facility operated as a crude oil processor from 1934 until it was shut flown due to bankruptcy in February 1981. An initial site investigation indicated that at least 40% of the 138 tanks that were on-site had inadequate diking. Surface soil samples found total petroleum budrocarbon contamination up to 165,460 milligrams per kilogram (mg/kg). Excessive runoff and pools of oily water were noted throughout the site during heavy precipitation.

The property was bought by a trustee of the Robert Cooley Trust Fund in January 1994. Mr. Robert Moore is the trustee: Numerous Unilateral Administrative Orders (UAOs) have been issued to the trustee to clean-up this site. These UAOs have not been successful in modivating the trust to clean-up the site. Presently, the whereabouts of Mr. Moore are unknown.

A 1994 CHRCLA cleanip addressed hazardous waste and asbestos that was located op site. Fifty-nine tanks, containing approximately 111,300 gallons of petroleum related waste seriamed on site after this clean-up action due to the CERCLA petroleum exclusion provision.

After the CERCLA clean up was completed, the trustee obtained the services of numerous scrap metal salvage at Dusto these scrapping efforts tops and sides of units have been call off which has allowed ramivalento collect in the tanks and the petroleum materials to the ground. Because the site sits on a steep hill, run off from ramic/general to these petroleum materials to discharge into a drainage disch, that runs through a wetlends and discharges into Village Creak which discharges into the Neosho River, the source for discharge water for the city of Channe. Presently, there are 27 tanks remaining on-site containing approximately 80,000 gallons of petroleum related materials.

TANK CONDITIONS:

During the 16 years that the refinery has been closed, the tanks have continued to rust and degrade. No maintenance, corrosion control, leak testing, etc., has been done to maintain the integrity of these tanks. Numerous tanks have no berms around them to serve as secondary containment in the event of any spills or tank failures. There is evidence in the oily water around some of the tanks that do have berms, that the tank contents have leaked out. This has caused extensive soil contamination around and under the tanks. Salvagers have further destroyed numerous tanks by cutting off tank tops and leaving product in the bottoms of the tanks causing the contents to overflow onto the ground. None of the tanks on-site are serviceable due to their deteriorated condition.

Rusting underground and above ground piping is located throughout the site. The majority of these pipes still contain petroleum products. When salvagers worked on the site, improper techniques of cutting pipes which contained flammable petroleum products had resulted in numerous fires and petroleum discharges. Some of these fires crossed the road and buried out wetland regetation and fields. On several occasions, salvagers set tank contents on fire to remove the petroleum material in the tanks. Since the refinery is located adjacent to a housing area, the thick black smoke posed a substantial threat to public health and welfare of residents. There is evidence that petroleum contamination has reached ground water.

ACTION PLAN.

A site specific work plan will address the removal and proper treatment and/or disposal of petroleum tank contents and sludge pit wastes, removal and disposal of above ground and below ground piping and coments, curting up and scrapping of tanks to allow for the removal of petroleum confaminated soils located beneath the tanks, in the berned areas surrounding the tanks, and in other petroleum confaminated spill areas, and the contained and treatment of petroleum confaminated water. As part of this action, a bioremediation study will be concluded to determine if soils can be treated on site, if his work plan will also allow for the first 3 scrap and reveggiation of disturbed areas.

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ATTACHMENT II Scope of Work

The Contractor shall, at the discretion of the OSC:

Develop and implement a site-specific work plan including a proposed time line;

Develop and implement a site-specific health and safety plan:

Provide air monitoring, and site security as necessary,

Provide utility hookups, and command post;

Access refinery vessels and piping and remove oil and sludges from the refinery;

Transport and off-site disposal of oil from the refinery;

Remove all unserviceable tanks to access contaminated soils beneath tanks;

Containerize and treat oily water (Utilizing the Springfield Belle, if available);

Remove all oil-contaminated soils, including those beneath refinery structures;

Remove and dispose of sludge pit wastes;

Perform a treatability study on the oil-contaminated soils to determine the most costeffective way of treating these soils on site;

Treat (or transport and dispose off-site) the oil-contaminated soils:

Final grading and vegetation of disturbed areas.

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U.S. Environmental Protection	Agency, Regio	on VII						
726 Minnesota Avenue								
Kansas City, KS 66101								
Melinda Cecil (913) 551-7564								
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Contract 68-S7-7001 Delivery Order 0013 Modification 0005 Page 2 of 2

- A. The purpose of this modification is to revise the statement of work to include additional tasks relating to pipeline which belongs to the MARCO site extending throughout Neosho County.
- B. The statement of work is revised to include the following additional tasks:
- 1. Amend the action plan to incorporate the additional tasks delineated herein and provide to the contracting officer and OSC prior to commencement of the tasks.
- 2. The pipeline shall be removed in locations which pose a threat to waterways, drainage ditches and wetland areas as identified by the OSC. Any pipe contents, such as oil, sludge, oily water, etc., shall be removed, containerized and combined with like materials on the MARCO site. Petroleum contaminated water shall be treated as required. Petroleum contaminated soils shall be excavated, transported back to the MARCO site and disposed of with petroleum contaminated soils from the MARCO site. In areas where the pipeline will not be removed, such as under streets, etc., the oil in the line shall be removed and the line shall be plugged. The removed pipeline shall be returned to the MARCO site.
- C. In order to continue site activities, the work completion date specified on EPA Form 1900-59, Delivery Order for Emergency Response Cleanup Services, is revised to read May 31, 1999.

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IT Corporation / OHM Remediation Services

ST. LOUIS OFFICE 42 N. CENTRAL INDUSTRIAL DR. O'FALLON, MO 53366 314/272-3303 (PHONE) 800/334-0004 (24 Hr.) 314/272-9456 (FAX)

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